



June 19, 2017

Federal Communications Commission  
Office of the Secretary  
FCC Headquarters Building  
445 12<sup>th</sup> St. SW, Room TW-A235  
Washington, DC 20554

**Re: *GN Docket No. 13-111 – FCC 17-25 - Comments and Responses to Proposed Rule - 47 CFR Part 20 – Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities***

Dear FCC Secretary:

Please find ShawnTech Communications Inc.'s ("SCI's") comments and responses below to the above-referenced proposed rule with this letter. We are pleased to participate in this process.

SCI is responding to select items under the Commission's Further Notice of Proposed Rulemaking ("FNPRM") as follows:

Item 8. Disabling Process – Contraband Wireless Devices. SCI agrees that a disabling process for restricting communication services to contraband wireless devices ("CWD" in the singular and "CWDs" in the plural) will provide helpful guidelines to telecommunications carriers and their subcontractors when providing such services to correctional facilities (referred to as "CF" in the singular and "CFs" in the plural). Because many of these CFs are state-owned and operated, cooperation with the states in this process is important. In addition, great care needs to be taken to not inappropriately disable legitimate wireless devices which might generate "false positive" detection in and near a CF environment.

Item 9. Court-Ordered CWD Disabling Process. SCI agrees that a court-ordered CWD disabling process is cumbersome and possibly untimely to implement but might be legally necessary based on conflict of laws principles. Accordingly, SCI declines to comment further.

Item 10. Commission Authority. SCI agrees that the Commission has authority for issuing the regulations. Depending on the CF type and because state laws might be a factor, implementation of the regulations is a legal question outside the scope of these comments. Accordingly, SCI declines to comment further.

Item 12. CWD Disabling in Correctional Facilities. SCI agrees that a defined process for disabling CWDs in a CF environment is needed. Further details provided in comments below.

Item 13. State Response - CWD Disabling in CF. As previously mentioned in Items 8-10, above, conflicts of law principles need to be considered in implementing a proposed disabling process when state CFs are concerned.

Item 14. Termination Validation Process. SCI recommends the following validation process for carriers and related providers for terminating services:

- (a) Conduct an initial Google Earth survey and make a CF site assessment of areas to include and avoid (i.e. airports, cell phone and other types of towers, etc.).
- (b) Plot points in that initial survey.
- (c) Identify and set up CF perimeter test points.
- (d) Conduct power modeling to test delivery and receipt of signal transmission.
- (e) Test actual mobile devices from manufacturers – 4-5 from each – in the CF environment, both inside and outside of the CF site enclosures to match the modeled environment with the actual environment.
- (f) Revise and adjust initial Google Earth survey for updated information.
- (g) Power down, move detection equipment, and adjust signals to match updated survey.
- (h) Re-test actual mobile devices in adjusted CF environment for authentication and verification.
- (i) Test mobile devices outside of CF environment and on multiple days to avoid “false positive” registering of legitimate devices on different times and days of a week and make appropriate adjustments.
- (j) Coordinate such tests with appropriate local EMS personnel to not interfere with legitimate 911 and other emergency communication services.
- (k) Establish a frequent re-testing period for the above to account for environmental changes over an extended period of time and for services which might involve mobile system monitoring.

Item 15. Implementation Feasibility – CF Termination Validation. SCI’s view is that a termination process is feasible and not unworkable or burdensome if the process in Item 14., above, is implemented with CWD detection systems.

Item 16. Managed Access System. SCI agrees with Tecore’s comments in the notice.

Item 17. Immediate Termination. SCI agrees that certification should be required for any CWD termination process implemented by this Commission.

Item 18. Liability and Carrier Protection. Carrier protection for inappropriate termination would appear be a matter of applicable federal and state law to a particular CF depending on the type and location of each CF. Accordingly, SCI declines to comment further.

Item 19. Minimum Performance Standards for CIS. SCI agrees that Contraband Interdiction Systems (“CIS”) providers to commercial mobile radio service (“CMRS”) licensees for disability services for CWD’s in CFs should be subject to minimum performance standards established by this Commission. Such CIS providers should be able to not only attest to such compliance, but demonstrate such competency to this Commission, for such purposes.

Item 20. CIS Eligibility. SCI agrees that it is necessary for this Commission to determine whether a CIS provider is eligible to provide disabling services meeting the described proposed process and standards.

Item 21. CIS Feasibility. The benefit of such eligibility determination and certification process will be to be able to determine which CWDs to terminate without causing inappropriate termination in the process, helping to insure safety consideration for the various CFs and the communities in which they are located. The costs and burdens are that it will narrow the pool of available providers of these services because of the costs of compliance. SCI's view is that the public safety benefits far outweighs these burdens.

Item 22. Designated Correctional Facility Official ("DCFO") Participation. SCI is not opposed to DFCO participation per se, but depending on the type and location of the facility, such participation might invoke state laws as well as other federal laws for compliance purposes. By way of example and not limitation, termination might be inappropriate and possibly illegal within a CF if a state law crime has not been committed. This will obviously vary by state.

Item 23. State or Local Official Alternative Contact. The same issues arise with this alternative as with the DFCO in Item 22.

Item 24. Qualifying Disabling Request Content #1. Same comments and issues as in Item 22.

Item 25. Qualifying Disabling Request Content #2. Same comments and issues as in Item 22.

Item 26. Qualifying Disabling Request Content #3. It would appear that each CF environment is different and imposing particular data collection requirements would depend on the site survey obtained for that location in order to direct a DCFO or state or local alternate contact.

Item 27. Common Formatting - Standards. SCI supports a standardized format of a qualifying disabling request and notes here that this is a matter to be decided by and agreed to by the carriers.

Item 28. Temporary Disabling; 911 Call Impact. SCI does not support a temporary disabling service which would exclude 911 or other emergency calls. Disabling services and the available technology to support them are not precise and exact enough to exclude these types of calls and not be wrong. Such 911 call could be appropriately initiated by a CF inmate, CF personnel, or even visitors, not to mention individuals who might be near and outside a CF perimeter boundary.

Item 29. Carrier CF Detection Location Sufficiency. Location sufficiency would seem to be a function of a particular CF site survey and subject to adjustments for within and outside of a particular CF environment.

Item 30. Customer Outreach. See response and comments in Items 22. and 23., above.

Item 31. CF Disabling Notice – Point of Contact. See response and comments in Items 22. and 23., above.

Item 32. DCFO Disabling Notice. See response and comments in Items 22. and 23., above.

Item 33. Disabling Notice Timeline. See response and comments in Items 22. and 23., above.

Item 34. Timeline for Response to Disabling Notice. See response and comments in Items 22. and 23., above.

Item 35. CF “False Positive” Prevention. See response and comments in Item 14., above.

Item 36. Carrier “Safe Harbor” – Wrongful Termination Liability. See response and comments in Items 22. and 23., above.

Item 37. “Trap-Trace” Concerns. See response and comments in Items 22. and 23., above.

Item 38. CIS Compliance – “Trap-Trace” and Termination. See response and comments in Items 22. and 23., above.

Item 39. Privacy Obligation Compliance. SCI agrees that these proposed rules, in whatever form, comply with applicable privacy rules and regulations. See response and comments in Items 22. and 23., above for related state law concerns.

Item 40. Network Upgrade Notice Obligation. SCI’s view is that this notice is moot if a CF’s site survey is regularly tested in frequent intervals as indicated in Item 14., above.

Item 41. Update Response Frequency. See response and comments in Item 40., above.

Item 42. Consumer Cost Feasibility. See response and comments in Item 40., above.

Item 43. Scope of Notice Obligation. See response and comments in Item 40., above.

Item 44. Advance Notice Timeline. See response and comments in Item 40., above.

Item 45. Additional CF Technology Solutions – CWD Disabling. See response and comments in Item 14., above.

Item 46. Quiet Zones. SCI’s view of quiet zone implementation is a function of the completed and implemented site survey for each CF. See response and comments in Item 14., above.

Item 47. Scope of Limited Disabling Service. SCI’s view of a range of quiet zone implementation, including “dead zones,” is a function of the completed and implemented site survey for each CF. See response and comments in Item 14., above.

Item 48. Geographical Restrictions of Limited Disabling Service. SCI’s view of geographic limitation of CWD disabling services is a function of the completed and implemented site survey for each CF. See response and comments in Item 14., above.

Item 49. Issues with Limited Disabling Service. SCI’s view is that the issues with such limited disabling services is a balance of over-inclusiveness or under-inclusiveness on such limits. Again, such

limiting services are nor precise or exact; each CF environment will have its own individual characteristics which might preclude certain standardization.

Item 50. Alternative Methods for Limited Disabling Service. SCI's view of field strength limit on the perimeter of the zone is a function of the completed and implemented site survey for each CF and can vary among facilities.

Item 51. CMRS Licensee Networks. SCI approves of the use of CMRS networks in provisioning of CWD disabling services in CFs.

Item 52. CMRS Licensee Disabling Criteria. CMRS criteria should be based on this Commission's CWD disabling standards set forth, with state compliance as applicable.

Item 53. Embedded Wireless Technology ("Beacon System"). "Beacon System" solutions are one possible method of addressing CWD's in the CF environment. CIS providers, including MAS providers, would need to work closely with mobile device manufacturers to keep current on the technology to comply with the above-proposed disabling process and standards

Item 54. Beacon System Costs and Benefits. SCI's view is that the costs and feasibility of "Beacon System" solutions are heavily borne by the mobile device manufacturers and their feedback needs to be garnered from them for this alternative.

Regards,

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